



UNITED STATES PATENT AND TRADEMARK OFFICE

nm
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,795	05/24/2001	Billy G. Moon	062891.0566	2877
5073 7590 04/12/2007 BAKER BOTTS L.L.P. 2001 ROSS AVENUE SUITE 600 DALLAS, TX 75201-2980			EXAMINER JACOBS, LASHONDA T	
			ART UNIT 2157	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	04/12/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 04/12/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mike.furr@bakerbotts.com
ptomail1@bakerbotts.com

Office Action Summary

Application No.

09/864,795

Applicant(s)

MOON, BILLY G.

Examiner

LaShonda T. Jacobs

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 30-39 is/are pending in the application.
- 4a) Of the above claim(s) 1 and 8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-5, 10-12, 30-32 and 37-41 is/are rejected.
- 7) ☒ Claim(s) 6, 7, 9 and 33-36 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Art Unit: 2157

DETAILED ACTION

Response to Amendment

This Office Action is in response to Applicant's RCE Amendment filed on February 7, 2007.

Claims 2-7, 9-12, and 30-41 have been amended. Claims 1 and 8 have been cancelled. Claims 2-7, 9-12, and 30-41 are presented for further examination.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims **2-5, 10-12, 30-32, and 37-41** are rejected under 35 U.S.C. 102(e) as being anticipated by Meushaw et al (hereinafter, "Meushaw", U.S. Pat. No. 6,922,774).

As per claims **30, 37 and 40**, Meushaw discloses a method, logic encoded in media and an apparatus for providing a general purpose computing platform at a router on a network, comprising:

- configuring a virtual machine on a router with a plurality of parameters (col. 4, lines 59-62 and col. 5, lines 34-50); and
- receiving, from a remote site, logic associated with a desired service to execute the desired service at the virtual machine (col. 5, lines 16-33).

Art Unit: 2157

- verifying that the virtual machine may host the logic and execute the desired service based on the parameters created during configuration (col. 4, lines 59-62 and col. 5, lines 34-50).

As per claim 2, Meushaw discloses wherein configuring the virtual machine on the router with the parameters comprises:

- allocating a processing resource operable to execute the logic on the virtual machine (col. 3, lines 56-65).

As per claim 3, Meushaw discloses wherein configuring the virtual machine on the router with the parameters comprises:

- allocating a processing resource operable to execute the logic on the virtual machine (col. 3, lines 56-65); and
- verifying that the virtual machine may host the logic based on the parameters created during configuration comprises determining whether the processing resource is available to execute the logic (col. 4, lines 59-62 and col. 5, lines 34-50).

As per claim 4, Meushaw discloses wherein configuring the virtual machine on the router with the parameters comprises:

- assigning a plurality of authorized credentials to the virtual machine (col. 4, lines 59-62 and col. 5, lines 34-50).

As per claim 5, Meushaw discloses wherein:

- configuring the virtual machine on the router with the parameters comprises assigning a plurality of authorized credentials to the virtual machine (col. 4, lines 59-62 and col. 5, lines 34-50); and

Art Unit: 2157

- receiving, from the remote site, the logic associated with the desired service to execute the desired server at the virtual machine comprises determining an address associated with the remote site (col. 5, lines 16-33).
- verifying that the virtual machine may host the logic an execute the desired service based on the parameters created during configuration (col. 4, lines 59-62 and col. 5, lines 34-50) comprises:
 - a. retrieving logic credentials for the logic from the remote site using the determined address (col. 4, lines 59-62 and col. 5, lines 34-50); and
 - b. comparing the authorized credentials with the logic credentials (col. 4, lines 59-62 and col. 5, lines 34-50).

As per claim 41, Meushaw discloses wherein receiving, from a remote site, logic associated with a desired service to execute the desired service at the virtual machine comprises:

- determining an address associated with the remote site (col. 5, lines 16-33); and
- retrieving a manifest for the logic from the remote site using the determined address, the manifest including a configurable object needed to execute the logic on the virtual machine (col. 5, lines 16-33).

As per claim 10, Meushaw discloses:

- wherein the virtual machine comprises a virtual interface including an address (col. 3, lines 47-65).

As per claim 11, Moir discloses:

- wherein the virtual machine comprises a virtual service including a plurality of addresses (col. 3, lines 47-65).

As per claim 12, Meushaw further discloses:

- loading default configuration parameters for the router (col. 4, lines 59-62 and col. 5, lines 34-50); and
- receiving a provisioning message to configure the virtual machine on the router (col. 4, lines 59-62 and col. 5, lines 34-50).

As per claims 31 and 39, Meushaw further discloses:

- allocating a processing resource operable to execute the logic on the virtual machine (col. 3, lines 56-65); and
- determining whether the processing resource is available to execute the logic (col. 4, lines 59-62 and col. 5, lines 34-50).

As per claims 32 and 38, Meushaw further discloses:

- assigning a plurality of authorized credentials to the virtual machine (col. 4, lines 59-62 and col. 5, lines 34-50);
- determining an address associated with the remote site (col. 5, lines 16-33);
- retrieving logic credentials for the logic from the remote site based on the determined address (col. 4, lines 59-62 and col. 5, lines 34-50); and
- comparing the authorized credentials with the logic credentials (col. 4, lines 59-62 and col. 5, lines 34-50).

Allowable Subject Matter

3. Claims 6, 7, 9, 33, 34, 35 and 36 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

4. Applicant's arguments with respect to claims 2-5, 10-12, 30-32, and 37-41 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004.

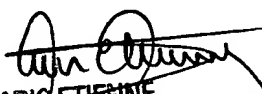
The examiner can normally be reached on 8:30 A.M.-5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ltj
April 2, 2007

LaShonda T Jacobs
Examiner
Art Unit 2157


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100